

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michael TESAR, et al.	Confirmation No.:	8662
Appl. No.:	10/588,568	Examiner:	Unassigned
Filing Date:	August 4, 2006	Art Unit:	Unassigned
Title:	ANTI-CD38 HUMAN ANTIBODIES AND USES THEREFOR		

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450, Mail Stop Amendment
Alexandria, VA 22313-1450

Sir:

Listed on the attached Forms PTO/SB/08A and PTO/SB/08B are documents known to applicants and identified in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. Copies of some of the identified documents are attached. Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of U.S. patents and publications have not been provided.

The citation of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

This Information Disclosure Statement is being filed before the mailing of a first action on the merits of the application. Accordingly, it is believed that no fee is required. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in connection with this fee to Deposit Account No. 50-3840.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Forms PTO/SB/08A and PTO/SB/08B be returned in accordance with MPEP §609.

Respectfully submitted,

Date: September 5, 2008
PROSKAUER ROSE LLP
1001 Pennsylvania Avenue, N.W.
Suite 400, South
Washington, DC 20004
Telephone: (202) 416-6800
Facsimile: (202) 416-6899

By  53,547

Paul M. Booth
Attorney for Applicants
Reg. No. 40,244

CUSTOMER NO: 61263